MINUTES OF THE GILBERT TOWN COUNCIL IN SPECIAL MEETING, THURSDAY, MARCH 22, 2012 AT 6:30 P.M., 50 EAST CIVIC CENTER DRIVE, GILBERT, ARIZONA

COUNCIL PRESENT: Mayor Lewis, Vice Mayor Daniels, Councilmembers Cook (via

telephone), Cooper, Petersen, Ray and Sentz

COUNCIL ABSENT: None

STAFF PRESENT: Manager Banger, Assistant Manager Skoeypec, Deputy Clerk

Comeaux Templeton, Attorney Goodwin

CALL TO ORDER OF SPECIAL MEETING

Mayor Lewis called the meeting to order at 7:06 p.m.

1. PRESENTATION OF STUDENT CITIZEN OF THE MONTH AWARDS

Mayor Lewis and Vice Mayor Daniels presented Student Citizen of the Month Awards for February to:

Evan Del Rio, Brad Roy, Kent D. Garner, Kent D. Garner, John Molina, Jackson Hillman, Heather Farley, Alejandro Lira, Londyn Lovell, Autumn Newbury, Jose Carrasco, Julian Tutty, Abigail Bertrandt, Issac Vazquez, Alejandro Shomar-Esparza, Emily Olson, Benjamin Magnavita, Bryna Bullard, Brandon Kwan, Conner Welker, Christian Samuel Aguilar, Peyton Lydia Sawyers, Kyle Hopkins-Silverio, Katherine McLaws, Madison Law, Dean Moore, Jamie Hughes, Bailey Vidler, Miller Kaapke, Matthew Casillas, Keri Ann McKeever, Ata Kiraz, Janae Dunn, Jessica Waechter, Allison Wold, Kiana Wollangk and for January Maria L. Cardenas Hernandez, Isacc Sanchez, Myah Wright and Jessica Worger.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ron Earle, of the New Life Family Church, gave the invocation. Scouts led the Pledge of Allegiance and introduced themselves.

ROLL CALL

Deputy Clerk Comeaux called roll and declared a quorum present.

PRESENTATIONS; PROCLAMATIONS

2. Presentation to the Gilbert Police Department and Commander Buckland and Lieutenant Girardin by the U.S. Secret Service.

Councilmember Cooper introduced Commander Buckland and Liuetenant Girardin. Special Agent Kevin Rice of the U.S. Secret Service gave a presentation to Commander Buckland and Lieutenant Girardin.

3. Proclamation declaring April 2012 as Bike-to-School Month.

Councilmember Petersen read a proclamation declaring April 2012 as Bike-to-School Month, and presented proclamations to representatives of local schools who participated in the program.

4. COMMUNICATIONS FROM CITIZENS

None.

CONSENT CALENDAR

A MOTION was made by Vice Mayor Daniels, seconded by Councilmember Sentz, to approve Consent Items 5, 7, 8, 11, 12, 13, 14, 15, 16, 17 and 18; remove Items 6 and 9 from the Consent Calendar; and add Items 21 and 27 to the Consent Calendar; appointing Donald Green, Matt Dominy and John Bucciarelli to the Environmental and Energy Conservation Advisory Board as regular members with terms beginning April 8, 2012 and ending April 7, 2015, and appointing Vicky Aviles as an alternate member with a term beginning April 8, 2012 and ending April 7, 2013; and approving Item No. 27 with changes. *Motion carried* 7-0.

5. INTERGOVERNMENTAL AGREEMENT – consider approval of an amendment to Intergovernmental Agreement No. 2009-4501-0419 with the Arizona Department of Transportation to extend a grant period for a Safe Routes to School Infrastructure Project through September 30, 2014 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

6. INTERGOVERNMENTAL AGREEMENT – consider approval of Intergovernmental Agreement No. 2012-5007-0227 with the Maricopa County Library District retroactive from July 1, 2011 for a five year period for operations at the Southeast Regional and Perry Libraries, and authorize the Mayor to execute the required documents.

Councilmember Ray said he is ready to approve the Intergovernmental Agreement (IGA). He said he would like the Town to move forward with exploring the true costs of bringing the library fully under Town control while maintaining the same service levels. He suggested staff return within a month with more information. Councilmember Cooper noted that there are economies of scale, and that some hybrid solutions might make sense. Councilmember Petersen said it is advisable to proceed with IGA but that staff should continue to research other options and gather more data. Councilmember Ray said he agrees with Councilmember Petersen to continue exploring options as well as true costs for all options. He noted that, with regard to a six month time frame, his concern is that the County could opt out after six months and leave the Town with having to fund and run its own library at that time. Councilmember Ray advised that the Town is not prepared for this. Councilmember Cook said he agrees that the Town should take a year to review and evaluate the financials, and explore options.

- A MOTION was made by Councilmember Ray, seconded by Councilmember Petersen, to approve Intergovernmental Agreement No. 2012-5007-0227 with the Maricopa County Library District retroactive from July 1, 2011 for a five year period for operations at the Southeast Regional and Perry Libraries and direct staff to return to Council at the second meeting in April with a timeframe for research into alternatives. *Motion carried* 7-0.
- **7. LEASE AGREEMENT** consider authorizing the Town Manager to issue a Notice of Termination of Lease Agreements with Zinke Investments Limited Partnership for parcels located at the southwest corner of Greenfield and Chandler Heights Roads, Contract No. 2010-7012-0052, and the other at the southwest corner of Greenfield and Germann Roads, Contract No. 2010-7012-0051.

This item was approved with the Consent Calendar vote.

8. CONTRACT – consider waiving the bidding requirements and approve Purchase Contract No. 2012-7009-0226 with Ashbrook-Simon Hartley in an amount not to exceed \$269,723.62 for 2.0 meter skid mounted belt filter press, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

- **9. CONTRACT** consider approval of the following contracts with T2 Pest Services Incorporated, Landscape Division, with an option to renew for up to five additional one-year terms, and authorize the Mayor to execute the required documents:
- a) Contract No. 2012-4108-0029 for landscape maintenance in Municipal Water Sites North Area, in an amount not to exceed \$37,510.81; and
- b) Contract No. 2012-4108-0216 for landscape maintenance in Municipal Water Sites South Area, in an amount not to exceed \$35,312.60.

Attorney Goodwin reviewed the item. She advised that the protest filed by Pacheco Brothers is based on how individual companies were rated. Water Production Supervisor Slusser outlined his rating of "firm experience." He said that his rating of firm experience was not only based on years of service but on the information provided in the proposals. He advised that the protestant claimed that T2 did not have the experience listed on the proposal. He noted that T2 was the only contractor that toured the facilities and that T2 does have the needed experience. He discussed references. He said that Pacheco Brothers' references did not check out in some instances. Water Production Supervisor Slusser noted that Pacheco Brothers listed their number of employees as eighty four, but only four of those are in Arizona. He said T2 has a current contract with the Town. Water Production Supervisor Slusser stated that in the five years T2 has been performing landscaping for the Town it has exceeded expectations. He reviewed past issues with Pacheco Brothers that were reflected in the rating given, including an instance in which damage involving storm damaged trees was not timely correctly. Attorney Goodwin asked Water Production Supervisor Slusser if he believes that his description of the evaluation process accurately

reflected the reasons for the ratings of Pacheco Brothers and T2. Water Production Supervisor Slusser responded that it does.

Mark Pacheco, Pacheco Brothers, Mesa, said that his company responded to requests from the Town for landscaping work promptly. He said that when contact was made with his company regarding the storm-damaged trees his company responded swiftly and appropriately. He said he was told that the job was going to be rebid due to changed specifications and scope of work in the job, not because his company was noncompliant in any way.

Attorney Goodwin said the contract had a term ending date, with an option for renewal. The contract ended and the Town, at its own discretion, chose to not renew but to rebid the work. Councilmember Ray asked if all the rules and procedures have been followed in this case. Attorney Goodwin advised that all rules and procedures have been followed. Councilmember Petersen said the rules for ratings seem subjective. He said that the criteria by which companies are rated should be more clearly quantified. Councilmember Sentz said that the new procurement officer could help tighten the process by helping quantify rating criteria. Mayor Lewis said the efforts of Pacheco Brothers are appreciated. He said staff based scores on first-hand knowledge of T2's performance and that cost is only one criteria in rating a company.

A MOTION was made by Councilmember Petersen, seconded Councilmember Sentz, to approve this item while also directing staff to create more clearly defining rating criteria. *Motion carried* 7-0.

10. No item.

11. CHANGE ORDER – consider approval of Change Order No. 3 to Contract No. 2009-7009-0266 with Hunter Contracting Company increasing the contract amount by \$193,016 for equipping and site improvements of the direct system well located at Willis and 156th Street, Project No. WA029:

This item was approved with the Consent Calendar vote.

12. CHANGE ORDER – consider approval of Change Order No. 1 to Contract No. 2011-4105-0190 with Earhart Equipment Corporation increasing the contract amount by \$39,918.32 for the purchase of one additional solid waste wheel loader.

This item was approved with the Consent Calendar vote.

13. TEMPORARY EXTENSION OF PREMISES – consider approval of a temporary extension of premises for Arriba Mexican Grill located at 2855 South Market Street for an event to be held on May 5, 2012.

This item was approved with the Consent Calendar vote.

14. STREETS - consider approval to execute and record a Certificate of Correction changing the name of East Princeton Street to East Princeton Avenue in the subdivision of Val Vista Park Place.

This item was approved with the Consent Calendar vote.

15. STREETS - consider approval to execute and record a Certificate of Correction changing the name of South Roca Court, between East San Tan Drive and East Brooks Street, to South Roca Street in the subdivision of Neely Commons Phase 1.

This item was approved with the Consent Calendar vote.

- **16. COUNCIL ADMINISTRATION** consider approval of the following changes to the Council Meeting Calendar:
- a) Cancel the Quarterly Planning Meeting of Saturday, April 28, 2012; and
- b) Schedule a Special Meeting for Monday, November 26, 2012 to accept the canvass of the General Election of November 6, 2012.

This item was approved with the Consent Calendar vote.

- 17. BOARDS AND COMMISSIONS consider appointments to the Gilbert Educational Cable Access Governing Board of:
- a) Timothy Keefe as the Chandler-Gilbert Community College representative with a term ending March 19, 2015; and
- b) Catherine Templeton as the Town of Gilbert representative with a term ending March 19, 2015.

This item was approved with the Consent Calendar vote.

18. MINUTES – consider approval of the minutes of the Special Meetings of February 23 and March 6, 2012, and the Special Meeting for Study Session of March 6, 2012.

This item was approved with the Consent Calendar vote.

PUBLIC HEARINGS

Mayor Lewis opened the public hearing for items 19 and 20. No one wished to speak and Mayor Lewis closed the public hearing.

19. LIQUOR LICENSE – conduct hearing and consider approval of a Series 9 Liquor Store License for City Wine & Spirits located at 6671 East Baseline Road, Suite 107.

A MOTION was made by Councilmember Sentz, seconded by Councilmember Petersen, to recommend approval of a Series 9 Liquor License for City Wine & Spirits located at 6671 East Baseline Road, Suite 107. *Motion carried* 7-0.

20. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Chapter 1 General Provisions, Article II Mayor and Council Section 1-63 Vice-Mayor by amending paragraph (a) related to the date of election by the Council.

In response to a question about the effective date of Ordinances, Attorney Goodwin noted that the effective date of most Ordinances is thirty days unless otherwise specified by the Town Council. Attorney Goodwin advised that this Ordinance will determine the selection of a vice mayor following the next Council elections. In the meantime if a vacancy occurs in the position of vice mayor then the Council can fill that position by a vote.

A MOTION was made by Councilmember Sentz, seconded by Councilmember Cooper, to adopt Ordinance No. 2363 amending the Code of Gilbert by amending Chapter 1 General Provisions, Article II Mayor and Council Section 1-63 Vice-Mayor by amending paragraph (a) related to the date of election by the Council. *Motion carried* 7-0.

ADMINISTRATIVE ITEMS

- **21. BOARDS AND COMMISSIONS** consider appointment to the Environmental and Energy Conservation Advisory Board of:
- a) three regular members with terms beginning April 8, 2012 and ending April 7, 2015; and
- b) one alternate member with a term beginning April 8, 2012 and ending April 7, 2013.

This item was approved with the Consent Calendar. Council appointed Donald Green, Matt Dominy and John Bucciarelli to the Environmental and Energy Conservation Advisory Board as regular members with terms beginning April 8, 2012 and ending April 7, 2015, and appointed Vicky Aviles as an alternate member with a term beginning April 8, 2012 and ending April 7, 2013.

22. COUNCIL ADMINISTRATION - consider authorizing advertisement and acceptance of Request for Qualifications, Contract No. 2012-5501-0177, for the establishment of the Gilbert Foundation.

Councilmember Sentz advised that this item appears to be both a Request for Qualifications and a Request for Proposals. He noted that conflicts of interest should be considered and that there is no hurry to get out the RFQ. Councilmember Petersen advised that the language has broadened since becoming an RFQ. Discussion followed on the obligations of the Town with regard to selection of an organization to run the Gilbert Foundation. Attorney Goodwin noted that up until the point at which selection of such an organization is made the Town may stop the process at

any time for any reason. There was brief discussion regarding waiting until the new Procurement Officer is hired in April before moving forward with the RFQ process. Community Development Specialist Fierro stated that with regard to waiting for the new procurement officer to be hired, she said she did not see any reason why issuance of an RFQ could not wait until this new person is hired. Councilmember Petersen stated there is no reason why the process cannot be delayed.

Vice Mayor Daniels led a discussion on the language in the RFQ. She said that in Section 3.0 the purpose of the Gilbert Foundation should be reworded. Discussion followed on the wording regarding monitoring and oversight of the organizations receiving funds. It was noted that monitoring provides accountability. Discussion followed on how the organization will be monitored until the point at which the group is no longer receiving General Fund dollars.

23. COUNCIL ADMINISTRATION - presentation and discussion on the benefits of the four day, 10 hour work schedule.

Assistant Fire Chief Jobusch reviewed the composition of the team formed to implement and monitor the change to a 4x10 work schedule, estimated leave usage, the participating departments, how customer satisfaction is going to be monitored, how staff feedback will be gathered and how customers are taking advantage of the change in hours. He noted that, generally, employee feedback has been positive and advised that budget related data indicate savings in certain areas. He said staff is tracking customer traffic during the 7:00 a.m. to 8:00 a.m. and the 5:00 p.m. to 6:00 p.m. hours. The data show that traffic is picking up during these times. Assistant Fire Chief Jobusch noted that approximately a one percent reduction in fuel costs has been realized. He said the final report on the transition will be brought back to Council in August or September of this year. Councilmember Sentz advised that tracking employee leave usage, including sick time usage, is important. The Council discussed the criteria that would be important for citizens. Councilmember Petersen advised that because a work day is now ten hours, a day off is ten hours.

24. CONTRACTS - presentation and direction on a revised process for approval of new phases of Construction Manager at Risk Projects.

Assistant Town Engineer Medina stated that the definition of a true change order is being updated. He reviewed traditional versus alternative project delivery methods, including the four methods use by Gilbert: Design-Build-Bid, Construction Manager-at-Risk, Design-Build and Job-Order-Contracts. He said that Construction Manager-at-Risk projects are sometimes phased and with each new phase a new Guaranteed Maximum Price is negotiated. Staff has been presenting each GMP for a new phase as a change order. In the future, those will be presented as a new Construction Phase for that project, rather than a change order, and will include the scope and GMP for that construction phase. He noted that change orders are not going away; true change orders will sometimes be necessary when unforeseen events or delays impact a project.

Assistant Town Engineer Medina noted that an error by the Town or a change in scope would be covered under an unplanned change order. Councilmember Petersen said on council communications for unplanned change orders it should be noted why the change took place.

25. STREETS – discussion on the results of the pilot project which placed solar blankets and energy control equipment on existing light poles and direction on moving forward to a next phase for deployment.

Vice Mayor Daniels asked for the quantity of lights to be involved in the project. She said having this number will help Council make a decision as to whether or not to continue with the project. Town Engineer Gillespie said staff is prepared to come back to Council at the April 19, 2012 Council Meeting with a recommendation and he noted that information on the number of streetlights will be provided at that meeting. Councilmember Cooper said he would like to see staff's recommendation on the scope of the next phase of the project as well as objectives.

26. BOARDS, COMMISSIONS, AND COMMITTEES - reports from Council Liaisons for the:

- a) Council Subcommittee on Board and Commission Application Screening, Interview, and Selection
- b) Other Council Subcommittees
- c) Congress of Neighborhoods Committee
- d) Design Review Board
- e) Environmental and Energy Conservation Advisory Board
- f) Gilbert Educational Cable Access Governing Board
- g) Human Relations, Culture and Arts Promotion Commission
- h) Industrial Development Authority
- i) Mayor's Youth Advisory Committee
- j) Parks, Recreation and Library Services Advisory Board
- k) Planning Commission
- l) Redevelopment Commission
- m) Special Events Commission
- n) Gilbert Public Facilities MPC
- o) Gilbert Water Resources MPC
- p) Gilbert Self-Insured Trust Fund
- q) Regional Meetings
- r) Utility Board

None.

POLICY ITEMS

27. POLICY NO. 2012-02 - consider approval of Council Policy No. 2012-02, Stakeholder Group Process.

This item was approved with the Consent Calendar, with changes.

28. FUTURE MEETINGS

The following items were requested for future agendas:

- Higley Road improvement discussion, direction, policy about the road improvement acceleration to Baseline / Williams Field. (Cook, Sentz, Ray). Scheduled Date: April 5, 2012
- Discussion and direction on cost recovery policy for the recreation centers. (Petersen, Cook, Sentz) *Scheduled Date:* April 5, 2012 May 15 or 17, 2012
- Policy on bidding, including criteria on when to bid and when to address renewals. (Daniels, Petersen, Cooper) *Scheduled Date:* April 19, 2012
- Staff report about all the current land development agreements in place today that are active on our books to understand the cost recovery timeline of these agreements. (Cook, Petersen, Cooper) Scheduled Date: May 15, 2012
- Finalize our Code of Ethics Policy for Council, appointed board and commission members and stakeholder members. (Cook, Petersen, Ray) Scheduled Date: May 17, 2012; and
- Policy discussion on what services currently provided by the Town that might be provided by Gilbert non-profits. (Cook, Ray, Sentz) Scheduled date: July 26, 2012

COMMUNICATIONS

29. Report from the TOWN MANAGER on current events.

Manager Banger reported on a streets rodeo event.

30. Report from members of the COUNCIL or current events.

Councilmember Petersen reported on an upcoming For Our City meeting on Tuesday, March 27, 2012.

31. Report from the MAYOR on current events.

Mayor Lewis reported on an upcoming Feather Friends festival and a kite festival. Councilmember Cooper reported on the recent opening of Postino's in downtown Gilbert.

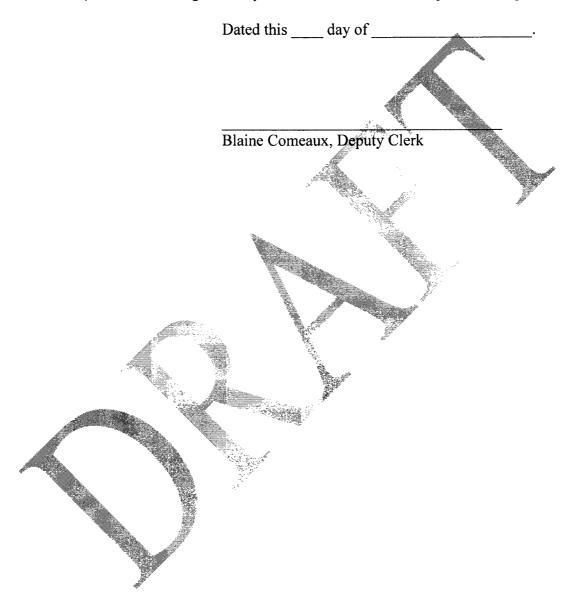
ADJOURN

Mayor Lewis adjourned	the meeting at 8:43	p.m.
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	ATTEST:	
J. 4		
John W. Lewis, Mayor	Blaine Comeaux, Deputy Clerk	

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Gilbert held on the 22nd day of March 2012. I further certify that the meeting was duly called and held and that a quorum was present.



MINUTES OF THE GILBERT TOWN COUNCIL IN SPECIAL MEETING, TUESDAY, MARCH 27, 2012 AT 7:30 A.M., 50 EAST CIVIC CENTER DRIVE, GILBERT, ARIZONA

COUNCIL PRESENT: Mayor Lewis, Councilmembers Cook, Cooper, Petersen and Ray

COUNCIL ABSENT: Vice Mayor Daniels and Councilmember Sentz

STAFF PRESENT: Manager Banger, Assistant Manager Skocypec, Neighborhood

Services Specialist Stafford, Chief Dewitt, Chief Dorn,

Development Services Director Tilque, Management Assistant

Dykstra

Public notice is given pursuant to A.R.S. 38-431.02 that members of the Gilbert Town Council will participate in the For Our City Breakfast at which time the following items will be discussed:

✓ Registration, networking and breakfast.

The meeting began at 7:30 a.m. for informal conversation over breakfast. The formal program began at approximately 8:08 a.m.

✓ Welcome and introductions.

Councilmember Peterson welcomed a group of approximately 79 attendees and recognized the efforts of committee members who organized the breakfast meeting. He thanked Gilbert officials and Community Action Network (CAN) members for their attendance. Guests were asked to consider taking part in the Gilbert Community Needs Assessment before April 1, 2012. It was noted that Character Counts nominations to honor young people for achievements in six pillars of character are due March 30, 2012. The awards program will be held April 26, 2012.

✓ History of For Our City.

Pastor and For Our City founder Jon McHatton presented a brief history of For Our City. He advised that for several years the program has assisted residents in crisis in several Arizona communities and is now beginning its work in Gilbert.

✓ Vision of Four Our City Gilbert.

Mayor Lewis described For Our City as an effort by the community to work together with municipal, business and faith leaders to improve the quality of life for the residents of Gilbert.

✓ Projects and Live Love Date, April 21, 2012.

Co-Director of Care Inc. Tim Thompson described Live and Love Day which is scheduled for April 21, 1012. A list describing seven projects was reviewed. Thompson invited attendees to contact him to join a host committee meeting to be held the 2nd Thursday of each month. The number of volunteers that would be recruited as a result of the breakfast meeting was calculated at 1,330.

✓ Group questions and discussion related to For Our City.

Thompson invited event attendees to participate in table discussions centering on the following questions:

- 1. How might you and your organization consider serving in new ways?
- 2. How can For Our City Gilbert support you and your organization in serving the community?
- 3. How can your organization support the nonprofit organization of Gilbert?
- 4. How can local government work with you to better serve Gilbert?
- Closing comments and commitments.

After discussion at each table Mr. Thompson asked that a representative from each of the eight tables report at least one key point in response to the questions.

✓ Mayor Lewis adjourned the meeting at 9:20 a.m.

		ATTEST:	,		
John W. Lewis, Ma	ayor	Catherine A.	Templeton,	CMC, Town C	lerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Gilbert held on the 27th day of March 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this	day of	
Catherine A.	Templeton, CMC, Town Cle	 erk

MINUTES OF THE GILBERT TOWN COUNCIL IN SPECIAL MEETING, APRIL 2, 2012 AT 4:00 P.M., 50 EAST CIVIC CENTER DRIVE, GILBERT, ARIZONA

COUNCIL PRESENT: Mayor Lewis, Vice Mayor Daniels, Councilmembers Cook,

Cooper, Petersen, Ray and Sentz

COUNCIL ABSENT:

None

STAFF PRESENT:

Manager Banger, Assistant Manager Skocypec, Assistant Town

Engineer Medina and Attorney Schwab

CALL TO ORDER OF SPECIAL MEETING

Mayor Lewis called the meeting to order at 4:10 p.m.

RECESS SPECIAL MEETING AND RECONVENE IN EXECUTIVE SESSION

A MOTION was made by Councilmember Petersen, seconded by Vice Mayor Daniels, to recess the Special Meeting to reconvene in Executive Session pursuant to:

A.R.S. §§ 38-431.03(A)(3) and 38-431.03(A)(4) for discussion or consultation for legal advice with the Town Attorney relating to its legal options and in order to consider its position and instruct its attorneys regarding contracts that are the subject of negotiations relating to the design and construction of Power Road; and

A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider the Town's position and instruct the Town Attorney regarding the Town's position regarding in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for Power Road-Williams Field, LLC, et al., v. Town of Gilbert, et al. (Maricopa County, Superior Court Case No. CV2011-005700).

Motion carried 7-0.

Mayor Lewis recessed the meeting at 5:32 p.m.

Mayor Lewis reconvened the Special Meeting at 5:33 p.m.

ADJOURNMENT

A MOTION was made by Councilmember Petersen, seconded by Vice Mayor Daniels, to adjourn. *Motion carried* 7-0

Mayor Lewis adjourned the meeting at 5:33 p.m.

Special Council Meeting April 2, 2012 Page 2 of 2

	ATTEST:
John W. Lewis, Mayor	Catherine A. Templeton, CMC, Town Clerk
<u>CERTIFICATION</u>	
special meeting of the Town Co	oing minutes are a true and correct copy of the minutes of the uncil of the Town of Gilbert held on the 2nd day of April 2012. was duly called and held and that a quorum was present.
	Dated this day of
	Catherine A. Templeton, CMC, Town Clerk

MINUTES OF THE GILBERT TOWN COUNCIL IN SPECIAL MEETING FOR A STUDY SESSION, TUESDAY, APRIL 3, 2012 AT 5:00 P.M., 3685 EAST AUTUMN DRIVE, GILBERT, ARIZONA

COUNCIL PRESENT: Mayor Lewis, Vice Mayor Daniels, Councilmembers Cook,

Cooper, Petersen, Ray and Sentz

COUNCIL ABSENT: None

STAFF PRESENT: Manager Banger, Assistant Manager Skocypec, Clerk Templeton,

Attorney Goodwin

CALL TO ORDER OF SPECIAL MEETING

The meeting began at 5:06 p.m.

Mayor Lewis made Council assignments for scouts, presentations, recognitions, and proclamations for the meeting.

1. Review items scheduled for the Council Meeting of April 5, 2012 at which time items will be acted on or continued.

The following items for the April 5, 2012 meeting were reviewed and discussed:

- **8.** AGREEMENT consider approval of:
 - a) Cooperative Purchasing Agreement No. 2012-1103-0222 with San Tan Ford for the purchase of thirteen vehicles in an amount not to exceed \$289,517.04;
 - b) Cooperative Purchasing Agreement No. 2012-1103-0223 with Chapman Ford for the purchase of one vehicle in an amount not to exceed \$24,942.29; and
 - c) Cooperative Purchasing Agreement No. 2012-1103-0224 with Courtesy Chevrolet for the purchase of one vehicle in an amount not to exceed \$21,655.76.

Councilmember Ray asked why these vehicles were being purchased at this time. He questioned whether it was important to purchase these vehicles in the current budget year. Budget and Financial Plan Analyst Johanson replied that many of these vehicles are unsafe. Purchase of them has been put off for several years. The Town's mechanics have identified these vehicles as needing replacement. It has been determined that the cost for ongoing maintenance on these vehicles, to keep them safe and operational, would exceed the cost of replacement at this time. He continued that these purchases are being done on the state's contract. There is no other reason for doing them at this time of the year. Assistant Manager Skocypec advised that this vehicle purchase request is larger than normal.

Discussion followed on replacement schedules and criteria. Budget and Financial Plan Analyst Johanson advised that there is a list of criteria by which vehicles are judged to be either needing replacement or not. Councilmember Cook advised that he would like to see that list. Budget and Financial Plan Analyst Johanson said this information would be provided at the April 5, 2012 Council Meeting.

9. AGREEMENT - consider approval of Cooperative Purchasing Agreement No. 2012-1103-0228 with Don Sanderson Ford for the purchase of one replacement 2012 Ford F-550 XL extended cab with articulated / telescopic aerial lift in an amount not to exceed \$120,595.32, and authorize the Mayor to execute the required documents.

In response to a question about what an articulate/telescopic airlift is, Budget and Financial Plan Analyst Johanson reviewed the uses of this vehicle. He advised that Fleet Services has conducted an evaluation on this vehicle and determined that the cost to repair and retain this vehicle for another year would not be cost effective. He continued that the pricing in the bids may have changed, stating that he received, this afternoon, different pricing from certain companies and will provide more information on his analysis at the April 5, 2012 Council Meeting.

11. **CONTRACT** – consider approval of renewal of Contract No. 2011-1501-0106 with Correctional Healthcare Services, Inc. for home detention monitoring services for the Courts, and authorize the Presiding Judge to execute the required documents.

Presiding Judge Hudson advised that as of present nearly 400 defendants have been referred to the program with a typical sentence of 15 days. Defendants participating in the program are monitored using GPS technology to determine their locations. Alcohol use is randomly monitored. All violations are reported to the court's probation officer by the next business day for quick responses to violations. Presiding Judge Hudson said he proposed home detention as a change to Town code last year. Other municipalities have already piloted these types of programs. He said it is a privilege to participate in the program. Some of the benefits have been a higher level of control of offenders and a reduction in upfront jail costs in real dollars. He said that more monitoring has required the institution of a fee; there has been a benefit to that as well. He stated that the program has been a benefit for both the Town and the offender. There has been no downside to implementation to the program.

There was discussion on whether or not there were any savings related to initial processing of offenders. Chief Dorn said there have not been cost savings in transportation of offenders, but there has been savings in time off for officer. Officers now do not have to attend court in certain instances. Vice Mayor Daniels asked about domestic violence offenders. Presiding Judge Hudson noted that such offenders cannot participate in the program. Only those arrest for DUI can participate at this time. He said that about six percent of all participants do not successfully complete the program.

12. **CONTRACT** – consider waiving the bidding requirements and approve Contract No.

2012-1308-0239 with Payment Processing Incorporated for credit card processing services beginning June 1, 2012 for a three year term with an option for early termination, and authorize the Mayor to execute the required documents.

In response to a question regarding notification to Bank of America, Utility Billing Administrator Nieves provided a review of the item and stated that sometime in the next six months a new vendor for credit card processing will be selected through an RFP process. She explained that Payment Processing Incorporated (PPI) approached the Town and offered to eliminate processing fees at a savings of about \$1500 a month. She said Gilbert could enter into this contract immediately to begin realizing the savings, while waiting for the outcome of the RFP. She continued that Bank of America was made of aware of the change. Bank of America advised that they could not match the savings of PPI but that they would participate in the RFP process.

29. Report from members of the COUNCIL on current events.

Councilmember Petersen provided an update on a Live Love Gilbert event, sponsored by For Our City, which will take place April 21, 2012. He encouraged citizens to participate in this event.

30. Report from the MAYOR on current events.

Mayor Lewis provided an update on an upcoming biannual economic development meeting as well as a Youth Leadership Summit to be led by the Mayor's Youth Advisory Committee. He reported on the next Operation Welcome Home event which will take place prior to the April 19, 2012 Council Meeting, and encouraged participation in the Global Village Festival.

2. Presentation on the budget approach, including key drivers of the FY2012-13 Budget.

Budget and Financial Plan Analyst Dailey addressed the Council. She reviewed the budget process including a recent cost-of-service analysis, the zero-based budgeting process, the recommendations of the Executive Team and work done on revenue analysis and forecasting. She advised that, due to the change to a zero-based budgeting approach, department budgets were deconstructed and then constructed again from scratch. She continued that in May staff recommendations will be brought forward to Council and she explained how the streets fund, enterprise funds, capital projects, system development fees an operating funds were analyzed. Budget Administrator Irvine addressed the Council. She remarked that the opinions of experts in economics are considered and weighed in making decisions with regard to budget forecasting. It was noted that as the economy improves, the Town is beginning to see some benefits from the development that took place prior to the downturn of the economy in 2008. She said the Town is anticipating another three percent increase in the General Fund for the FY2012-13 budget. Discussion followed the selling of bonds. Assistant Manager Skocypec advised that Gilbert has not sold bonds in three or four years.

There was general discussion on budget forecasting. Budget Administrator Irvine advised that Gilbert has the ability to look at the budget in many different ways, and trend out where it is expected that there will be growth in the future. She reviewed projected changes in the General Fund, Streets, Water, Wastewater and Solid Waste from FY2011-12 actuals. She said that these numbers assume that rates will remain what they currently are. Budget and Financial Plan Analyst Dailey provided information on how needs are defined and resources assessed. Councilmember Cook asked about the possibility of moving the Annual August Retreat to a time prior to adoption of the preliminary budget. Budget Administrator Irvine replied that staff is prepared to adjust its schedule at Council discretion. In response to how this budget ties in to the five year rolling strategic plan, Budget Administrator Irvine noted the accuracy of the projected budget is the most important aspect of the five year rolling balanced financial plan. Discussion followed on broadening an agenda item related to cost recovery of Gilbert's recreation centers into a discussion on cost recovery for services Townwide.

3. Discussion on the efficiency and effectiveness of Study Sessions and Council Meetings.

No discussion.

4. Overview of Gilbert neighborhoods, neighborhoods located within central Gilbert, and services provided by Neighborhood Services; and

Mayor Lewis advised that the Town has been sectioned into four quadrants. The objective of having the Study Session outside of Chambers is to get to know the citizens in this part of Town. He encouraged the participation of citizens. Members of the Town Council introduced themselves. Neighborhood Services Specialist Stafford introduced herself. She provided statistics on neighborhoods, including distribution on Gilbert's HOAs, an overview of demographics and the mission of Neighborhood Services.

• Presentation and overview of Power Ranch including highlights and challenges;

Joe Hornstrom, President of the Power Ranch HOA, provided information on Power Ranch, including the square acreage and the number of parks and recreation facilities. He said that at buildout there will be over 5200 homes in Power Ranch. He reviewed annual events held at Power Ranch, including pool parties. He said that water issues were a concern of residents. He reviewed shared use agreements with the Higley School District and the YMCA for ball fields. Parking is also an issue. He encouraged the Town Council to pass an ordinance on parking restrictions.

• Presentation and overview of Lyon's Gate including highlights and challenges;

Richard Oduno, of City Property Management, addressed the Council. He said City Property Management has taken over the HOA at Lyon's Gate. Over two thousand residents have moved

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into the community. He advised that there is a large block party held every year in Lyon's Gate. He reviewed some of the other annual events held at Lyon's Gate.

• Presentation and overview of Agritopia including highlights and challenges; and

Bonnie Levine, President of the Agritopia HOA, addressed the Council and stated that her community is anticipating some new construction. She said Agritopia has a large Halloween event every year. Some challenges are traffic at Higley Road and the Agritopia loop. She said staff has been responsive to Agritopia members' concerns in the past. She continued that another concern of residents is the rising costs of maintenance of common areas as well as the sustainability of the community's well.

• Communication from other neighborhoods located with central Gilbert.

Bob Krause, Trilogy at Power ranch, said that his community has over 3,000 residents who are 55 or over. He said his residents are concerned about what is happening in The Bridges.

Amy Butterfield, Eagle Glen and Eagle Glen II, said that the noise level from the 202 Freeway at Lindsay and Germann is a concern for residents in her area. She asked if there was any future plan to extend the noise wall in this area.

		ATTEST:	
John W. Lewis, Mayor		Catherine A. Templeton	n, CMC, Town Clerk

CERTIFICATION

The meeting ended at 6.55p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Gilbert held on the 3rd day of April 2012. I further certify that the meeting was duly called and held and that a quorum was present.